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8 Attorney for Defendant
9 International Brotherhood of Boilermakers,
10 Iron Ship Builders, Blacksmiths, Forgers and
11 Helpers, AFL-CIO, Cement, Lime, Gypsum,
12 and Allied Workers Division, DNCL

13 UNITED STATES DISTRICT COURT
14
15 NORTHERN DISTRICT OF CALIFORNIA- SAN JOSE DIVISION

16 LHOIST NORTH AMERICA OF ARIZONA,
17 INC.,

18 Plaintiff,

19 vs.

20 INTERNATIONAL ASSOCIATION OF
21 MACHINISTS AND AEROSPACE
22 WORKERS, LOCAL LODGE NO. 93,
23 INTERNATIONAL BROTHERHOOD OF
24 TEAMSTERS, CHAUFFEURS,
25 WAREHOUSEMEN AND HELPERS OF
26 AMERICA, LOCAL NO. 890,
27 INTERNATIONAL BROTHERHOOD OF
28 BOILERMAKERS, IRON SHIP BUILDERS,
BLACKSMITHS, FORGERS AND HELPERS,
AFL-CIO, CEMENT, LIME, GYPSUM AND
ALLIED WORKERS DIVISION, DNCL,
INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, LOCAL NO. 234,
AND INTERNATIONAL UNION OF
OPERATING ENGINEERS, LOCAL NO. 3,

Defendants.

Case Number: 5:16-cv-1331

**JOINT STIPULATION AND ORDER
FOR DISMISSAL OF ACTION WITH
PREJUDICE**

Judge: The Hon. Nathanael Cousins
Department: Courtroom 7- 4th Floor

1 Plaintiff LHOIST NORTH AMERICA OF ARIZONA, INC. (“Plaintiff,” “Lhoist,” or the
 2 “Company”) and Defendants INTERNATIONAL ASSOCIATION OF MACHINISTS AND
 3 AEROSPACE WORKERS, LOCAL LODGE NO. 93 (“IAM Local 93”), INTERNATIONAL
 4 BROTHERHOOD OF TEAMSTERS, CHAUFFEURS, WAREHOUSEMEN AND HELPERS
 5 OF AMERICA, LOCAL NO. 890 (“Teamsters Local 890”), INTERNATIONAL
 6 BROTHERHOOD OF ELECTRICAL WORKERS, LOCAL NO. 234 (“IBEW Local 234”),
 7 INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL NO. 3 (“Operating
 8 Engineers Local 3”), AND THE INTERNATIONAL BROTHERHOOD OF BOILERMAKERS,
 9 IRON SHIP BUILDERS, BLACKSMITHS, FORGERS AND HELPERS, AFL-CIO, CEMENT,
 10 LIME, GYPSUM, AND ALLIED WORKERS DIVISION, DNCL (“Boilermakers DNCL”)
 11 (“Defendants” or the “Unions”) (collectively, the “Parties”) by and through their counsel of
 12 record, jointly enter into the following stipulation:

13 WHEREAS the Parties have reached a complete and final settlement of the above-
 14 referenced matter, including an agreement that the matter be dismissed with prejudice in its
 15 entirety;

16 IT IS HEREBY STIPULATED that the above-referenced matter be dismissed with
 17 prejudice in its entirety, with each side to bear their own fees and costs.

18
 19 Dated: November 29, 2016

JACKSON LEWIS P.C.

20
 21 By: /s/ Conor J. Dale
 22 Dan Hartsfield
 23 Conor J. Dale
 Attorneys for Plaintiff
 LHOIST NORTH AMERICA OF
 ARIZONA, INC.

24 //
 25 //

1 Dated: November 29, 2016

WEINBERG, ROGER & ROSENFELD

2
3 By: /s/ Caren P. Sencer
David A. Rosenfeld
Caren P. Sencer
4 Attorneys for Defendants
INTERNATIONAL ASSOCIATION OF
5 MACHINISTS AND AEROSPACE
WORKERS, LOCAL LODGE NO. 93,
6 INTERNATIONAL BROTHERHOOD OF
TEAMSTERS, CHAUFFEURS,
7 WAREHOUSEMEN AND HELPERS OF
AMERICA, LOCAL NO. 890, AND
8 INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, LOCAL NO.
9 234

10 Dated: November 29, 2016

LAW OFFICE OF KENNETH C. ABSALOM

11
12 By: /s/ George R. Nemiroff
Kenneth C. Absalom
George R. Nemiroff
13 Attorneys for Defendant
INTERNATIONAL UNION OF
14 OPERATING ENGINEERS LOCAL NO. 3

15
16 Dated: November 29, 2016

BLAKE & UHLIG, P.A.

17
18 By: /s/ Jason R. McClitis
Jason R. McClitis
Attorneys for Defendant
19 INTERNATIONAL BROTHERHOOD OF
BOILERMAKERS, IRON SHIP
20 BUILDERS, BLACKSMITHS, FORGERS
AND HELPERS, AFL-CIO, CEMENT,
21 LIME, GYPSUM, AND ALLIED
WORKERS DIVISION, DNCL
22 *Admitted Pro Hac Vice*

23
24 **ORDER**

25 **PURSUANT TO THE STIPULATION OF THE PARTIES, IT IS SO ORDERED.**

26 Dated: November 29, 2016

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